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PATENT APPLICATION

ATTORNEY DOCKET NO. 10006615-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Aaron Joel Loyd

Confirmation No.: 6454

Application No.: 09/915,070

Examiner: Hassan Phillips

Filing Date: 07/25/2001

Group Art Unit: 2151

Title: METHOD AND DEVICE FOR MONITORING THE PERFORMANCE OF A NETWORK

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

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NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, 04/07/2005, rejecting the following claims 1,3,7,9,13,17,19-21,24.
The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

- () (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

() one month	\$120.00
() two months	\$450.00
() three months	\$1020.00
() four months	\$1590.00

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- () The extension fee has already been filed in this application.

- (X) (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account **08-2025** the sum of \$500.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

- () I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450. Date of Deposit: _____

OR

- (X) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (703) 872-9306 on July 6, 2005

Number of pages: 2

Typed Name: Kalyn Black

Signature: Kalyn Black

Respectfully submitted,

Aaron Joel Loyd

By RWN

Robert W. Nelson, Esq.

Attorney/Agent for Applicant(s)

Reg. No. 37,898

Date: July 6, 2005

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